

REMARKS

This application has been reviewed in light of the Office Action dated May 5, 2005. Claims 1-28 are pending in the application. Claims 1, 4, 10 and 13 are amended in a manner that Applicant believes overcome the rejections in the Office Action. Dependent claim 28 has been added. Support for the amendments can be found throughout the specification and figures of the present disclosure and recite aspects of the disclosure that Applicant is believed to be entitled. Applicant submits that no new matter or issues are introduced by the amendments.

Claims 1-27 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Accordingly, claims 1, 4 and 10 have been amended in an effort to overcome this rejection, and it is believed that the rejection under 35 U.S.C. § 112, second paragraph, should be withdrawn.

In the Office Action, claims 1-3 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 6,449,215 to Shell (the "Shell patent"). However, it is respectfully submitted that amended independent claim 1, and claims 2-3 depending therefrom, clearly and patentably distinguish over the Shell patent.

The Shell patent in no way discloses or suggests structure as recited in amended claim 1. The Shell patent discloses an invention that is used to combine different types of data outputs from multiple, different types of sonar systems and orient the information from one type of sonar system relative to the information from another type of sonar system, which is a strict requirement for performing processing techniques on the sonar data after correlating between data sources.

In direct contrast, amended claim 1 of the present application recites a sonar system that generates “a complete image with a single transmission,” and circuitry to collect image data from “a fixed frame of reference from ping-to-ping allowing for the successive display of multiple images from successive transmissions to be oriented with the same fixed frame of reference in a direction relative to the earth.”

Because of the above distinctions, it is respectfully submitted that amended independent claim 1 and claims 2-3 depending therefrom are patentable and not obvious over the Shell patent. Reconsideration and withdrawal of the rejection is respectfully requested.

In the Office Action, claims 4-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Shell patent taken in view of U.S. Patent No. 5,200,931 to Kosalos et al. (the “Kosalos patent”). The Examiner cited the Kosalos patent for teaching the “specific structure of claims 4-27.” However, it is respectfully submitted that the Kosalos patent and its teachings do not cure the deficiencies of the Shell patent, specifically, the ability to create an image from raw sonar data and rotate it responsively to the roll tilt and yaw orientation of the sonar system with respect to a fixed frame of reference from ping-to-ping allowing for the successive display of multiple images from successive transmissions to be oriented with the same fixed frame of reference in a direction relative to the earth; and the ability to create a complete 3-dimensional image with a single transmission.

In view of the foregoing amendments and remarks, it is respectfully submitted that claims 1-28 presently pending in the application are believed to be in condition for allowance and patentably distinguish over the art of record. An early notice thereof is earnestly solicited.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call the Applicant's undersigned attorney.

Please charge any deficiency as well as any other fee(s) which may become due at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 50-0369. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 50-0369 therefor.

Respectfully submitted,



Dated: November 7, 2005

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